

Notice of Allowability

Application No.

10/758,486

Examiner

GIOVANNA COLAN

Applicant(s)

ABDO ET AL

Art Unit

2162

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal brief filed 01/14/2008.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 03/20/2008.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Jean M Corielus/
Primary Examiner, Art Unit 2162

DETAILED ACTION

1. This action is issued in response to applicant filed appeal brief on 01/14/2008.
2. Applicant's arguments, see appeal brief, filed 01/14/2008, with respect to claims 1 – 23 have been fully considered and are persuasive. The 35 USC 103 rejection of 1 – 23 has been withdrawn.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Thomas W. Humphrey on 03/20/2008.
5. The application has been amended as follows:

In the claim:

Please amend claims 1, and 11- 23 as follows:

6. A method for generating a statistic for a pattern matching predicate on an attribute of a relation, to be used in optimizing execution of a query directed to one or more attributes of said relation, comprising

providing a relational database including a relation having a plurality of tuples including values for a plurality of attributes;

providing a data storage structure storing character statistics on said attribute, comprising a first structure storing, for each of a plurality of character positions, frequently occurring characters in that character position, and statistics for each frequently occurring character,

retrieving said statistics in response to said pattern matching predicate based upon the character positions of characters in said pattern matching predicate, and generating said statistic based upon said retrieved character statistics.

11 – 23. Cancelled.

REASONS FOR ALLOWANCE

7. Claims 1-10 are allowable in light of the applicant's arguments and in light of the prior art made of record.

Reason for Indicating Allowable Subject Matter

8. The following is an examiner's statement of reasons for allowance: Upon searching a variety of databases, the examiner respectfully submits that "providing a data storage structure storing character statistics on said attribute, comprising a first structure storing, for each of a plurality of character positions, frequently occurring characters in that character position, and statistics for each frequently occurring character, retrieving said statistics in response to said pattern matching predicate based upon the character positions of characters in said pattern matching predicate" in conjunction with all other limitations of the dependent and independent claims are not taught nor suggested by the prior art of record. Therefore, all pending claims 1-10 are hereby allowed.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issues fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Points Of Contact

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIOVANNA COLAN whose telephone number is (571)272-2752. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Giovanna Colan
Examiner
Art Unit 2162
March 26, 2008